

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

February 20, 2013
6:00 P.M.

Mayor Michael W. Tucker called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Kibler, Lombardi, McCaffrey, Fogle, Schrader, and Genewick.

RECESS

Recess for public input.

022013.1

APPROVAL OF MINUTES

On motion of Alderman McCaffrey, seconded by Alderman Lombardi, the minutes of the Regular Meeting of February 6, 2013 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

PUBLIC HEARING

The Mayor announced a public hearing on a request for a Special Use Permit made Lockport Recycling Center LLC, for approval of Phase One of a recycling center to be located at 178 Oakhurst Street, situated in an I-3 Zone have been received.

The Mayor asked the City Clerk if any petitions or communications relative to the request for the Special Use Permit request have been received.

2/12/13 Elaine M. Stahler, 38 Heath Street, Lockport, NY – requesting consideration of various concerns prior to approval of Special Use Permit.

2/13/13 Charlene Seekins-Smith, Chairman, Lockport Planning and Zoning Board – recommendation that the request for a special use permit made by Lockport Recycling Center LLC, for approval of Phase One of a recycling center to be located at 178 Oakhurst Street, situated in an I-3 Zone be approved.

Recess for public input.

The Mayor closed the public hearing.

FROM THE MAYOR

Resignations:

11/2/12 Brian Bower, 5668 S Transit Road, Lockport, NY – resigned as a member of the Planning Board. Received and filed.

2/8/13 Howard Luff, 105 Morrow Avenue, Lockport, NY – resigned as a member of the Planning Board effective March 1, 2013. Received and filed.

Appointments:

2/8/13 Under and by virtue of the authority conferred on me by the Charter of the City of Lockport, New York, I, Michael W. Tucker, Mayor of said City, do hereby appoint the following as members of the Bed Tax Committee:

Patrick W. Schrader, Alderman
Scott Cain, Greater Lockport Development Corporation
R. Charles Bell, Tourism Task Force
Keith McNall, Niagara County Legislature
Heather Peck, Lockport Main Street

Received and filed

2/12/13 Terry K. Harmon, 57 Regent Street, Lockport, NY – appointed as a member of the Planning Board to fill the unexpired term of Howard Luff. Said term expires October 14, 2015. Received and filed.

2/19/13 Linda S. Roth, 110 Locust Street, Lockport, NY – appointed as a member of the Planning and Zoning Board. Said term expires October 14, 2015. Received and filed.

2/19/13 Jeff Tracy, 5 Cherry Street, Lockport, NY – appointed as a member of the Planning and Zoning Board to fill the unexpired term of Brian Bower. Said term expires October 14, 2015. Received and filed.

FROM THE CITY CLERK

The Clerk submitted payrolls, bills for services and expenses, and reported that the Department Heads submitted reports of labor performed in their departments. Referred to the Finance Committee.

Communications (which have been referred to the appropriate City officials)

2/19/13 Kelly Lyons, Chairman of the Veteran's Affairs and Rehabilitation Committee, B. Leo Dolan American Legion, Lockport, NY – request permission to conduct a walk-a-thon on April 13, 2013. Referred to the Committee of the Whole

2/19/13 Charlene Bower, Lockport in Bloom Committee – request permission to conduct the Annual Lockport In Bloom Garden Tour July 13th and 14th, 2013, and to hang signage in various areas to promote same. Referred to the Committee of the Whole.

Notice of Defect:

2/4/13 84 Prentice Street, Lockport, NY – tree
Referred to the Director of Engineering.

MOTIONS & RESOLUTIONS**022013.2**

By Alderman Genewick:

Resolved, that the Mayor and City Clerk be authorized to issue orders in favor of the claimants for payrolls, bills, and services to be paid on February 22, 2013.

Seconded by Alderman Lombardi and adopted. Ayes 6.

022013.3

By Alderman Genewick:

Resolved, that claims authorized for payment by the Director of Planning and Development, and subsequently paid from the Community Development Escrow Account, be and the same are hereby approved.

Seconded by Alderman McCaffrey and adopted. Ayes 6.

022013.4

By Alderman Lombardi:

Resolved, that pursuant to their request, the American Cancer Society is hereby granted permission to conduct their annual Mother's Day Breast Cancer Canal Walk on Sunday, May 12, 2013 and to barricade Market Street from North Adam Street to Wide Waters Marina between the hours of 12:30 p.m. – 2:30 p.m. and to erect a tent at Nelson C. Goehle Park for said event, subject to approval of the walk route by the Police Chief and the American Cancer Society filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that the Director of Engineering is hereby authorized and directed to make arrangements to deliver barricades, traffic cones, and street closed signs and arrange to have the restroom open at the park on said date.

Seconded by Alderman Fogle and adopted. Ayes 6.

022013.5

By Alderman Schrader:

Resolved, that pursuant to their request, the Lockport Monday Night Cruise Optimist Club is hereby granted permission to conduct Monday night car cruises in Ida Fritz Park beginning May 13 through September 2, 2013 from 6:00 p.m. to 9:00 p.m., (Memorial Day and Labor Day Super Cruise begin at 3:00 p.m.) and be it further

Resolved, that said permission includes the following:

1. to operate a market place at the park for the sale of food and drink items including alcoholic beverages, crafts, and related items
 2. barricade West Avenue and Park Avenue at Hawley Street to North Transit Street and Hawley Street between Park Avenue and West Avenue
- and, be it further

Resolved, that the Common Council hereby designates the aforesaid event as a temporary event as defined by Section 53-1 of the City Code (alcoholic beverages) which shall terminate/lapse upon completion of said event, and be it further

Resolved, that said permission is subject to the Lockport Monday Night Cruise Optimist Club filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that the Director of Engineering is hereby authorized and directed to arrange for delivery of barricades, traffic cones, street closed signs and extra picnic tables to the area prior to the events, and be it further

Resolved, that the City of Lockport hereby prohibits entry to Ida Fritz Park of all bicycles, skateboards, and dogs on Cruise Nights during the events due to the expected heavy pedestrian traffic, and be it further

Resolved, that the Police Department is hereby directed to enforce the removal of all concessionaries, vendors, or peddlers from the show area who are not possessing an exhibitor's permit.

Seconded by Alderman Genewick and adopted. Ayes 6.

022013.6

By Alderman Genewick:

Resolved, that pursuant to the request of Washburn Street Meat Market, 207 Washburn Street, Lockport, NY, permission is hereby granted to erect and maintain railings in the City's right-of-way at 207 Washburn Street subject to the following provisions:

that upon motion of the Common Council, duly adopted by a majority vote only, and thirty days notice from the City Clerk, the railings must be removed,

filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, leaving the City free and clear of all liability in connection therewith,

payment of the revocable permit fee of \$100.00 renewable annually.

Seconded by Alderman Schrader and adopted. Ayes 6.

022013.7

By Alderman McCaffrey:

Resolved, that the bid proposal of Willow Creek Farm, Clarence Center, NY, received on January 24, 2013, for Kiln Dried Wood Chips be accepted in the amount of \$12.00 per cubic yard. Cost of same to be charged to account #003-8160-0463.

Seconded by Alderman Schrader and adopted. Ayes 6.

022013.7A

By Alderman Lombardi:

WHEREAS, the Hydraulic Race Co. has requested an easement over Caledonia Street in the City of Lockport for purposes of installing an underground electric cable necessary for its operation, and

NOW THEREFORE BE IT,

RESOLVED, that the Mayor be and is hereby authorized to execute an easement with Hydraulic Race Co. for the above stated purpose subject to the approval of Corporation Counsel, Chief Building Inspector and City Engineer.

Seconded by Alderman Fogle and adopted. Ayes 6.

022013.7B

By Alderman Lombardi

Resolved, that pursuant to their request, permission is hereby granted to the B. Leo Dolan American Legion to conduct a walk-a-thon fundraiser to benefit the annual state-wide event "They Marched for Us. Let's Walk for Them" on April 13, 2013 beginning at 10:00 a.m. at the American Legion Post, subject to approval of the walk route by the Police chief and filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that the Municipal Building parking lot be closed on April 13, 2013 for use for registration beginning at 9:00 a.m., and be it further

Resolved, that the Director of Engineering is hereby authorized and directed to arrange for barricades and waste receptacles to the area prior to the event.

Seconded by Alderman Genewick and adopted. Ayes 6.

022013.7C

By Alderman Kibler:

Resolved, that pursuant to their request, the Lockport Midget Baseball League is hereby granted permission to use the baseball diamonds at Outwater and Kibler Parks during the 2013 season subject to approval of the schedule by the Highways & Parks Department and subject to filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Schrader and adopted. Ayes 6.

022013.7D

By Alderman Lombardi:

Resolved, that pursuant to their request, Affordable Living NY is hereby granted permission to place a dumpster in the city's right of way at 13 VanBuren Street from February 22nd until March 1st 2013. Said permission is subject to Affordable Living NY filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman McCaffrey and adopted. Ayes 6.

022013.7E

By Alderman McCaffrey:

Resolved, that pursuant to their request, the Lockport In Bloom committee is hereby granted permission to conduct their annual Lockport In Bloom "City Garden Tour 2013" event the weekend of Saturday, July 13th and Sunday, July 14th, 2013 from 10:00 a.m. to 4:00 p.m. each day, and be it further

Resolved, that permission is also granted to hang signs advertising the event on the four Historic Lockport entrance signs beginning June 21st to July 15th and to erect 18" X 24" Lockport in Bloom garden signs in Ida Fritz Park, Locust Street Park, Children's Memorial Park and Veteran's Memorial Park, and be it further

Resolved, that permission is hereby granted to erect a vinyl banner across East Avenue at Davison Road at least 17 feet from the ground from June 21st to July 15th, 2013 to promote Lockport in Bloom weekend, and be it further

Resolved, that the City Clerk is hereby authorized and directed to make arrangements to erect the banner.

Seconded by Alderman Kibler and adopted. Ayes 6.

022013.7F

By Alderman Fogle:

Resolved, that the request for a special use permit made by Lockport Recycling Center LLC for approval of Phase One of a recycling center to be located at 178 Oakhurst Street, situated in an I-3 Zone, be and the same is hereby approved, subject to the following provisions:

1. All fencing requirements are met per drawings submitted 2/12/13,
2. A catch basin be installed for storm water drainage per drawing,
3. A watering device is onsite for all times for dust control,
4. This recommendation is for Phase One only

The special permit shall go to the applicant only and shall terminate on the sale or transfer of the property, and further it terminates if the use permitted is abandoned for more than one year, if any of the conditions enumerated herein have changed, and in the discretion of the Common Council make such use unsuitable.

Seconded by Alderman Lombardi and adopted. Ayes 6.

022013.8**ADJOURNMENT**

At 6:35 P.M. Alderman McCaffrey moved the Common Council be adjourned until 6:00 P.M., Wednesday, March 6, 2013.

Seconded by Alderman Genewick and adopted. Ayes 6.

RICHELLE J. PASCERI
City Clerk